

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
DONATIEN ROGER)	Examiner: Thu Thao Havan
)	Art Unit: 3691
Application No.: 10/053,464)	
)	Conf. No.: 3690
Filed: January 18, 2002)	
)	
For: ONLINE CREATION AND)	
MANAGEMENT OF ENTERPRISES)	October 23, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is a response to the Office Action mailed September 26, 2007, stating that Applicant's Amendment filed on June 11, 2007, is deemed to be non-responsive, in that that Amendment did not point out support in the specification for the newly-added claim language.

Applicant notes that the requirements for responsiveness are set out by 37

C.F.R. § 1.111, which provides in pertinent part:

“(b) In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply

must appear throughout to be a *bona fide* attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section. [emphasis added]"

It is noted that while this provision requires that each rejection and each objection be answered, and that the distinction of the claims over the prior art of record be identified, Applicant can find no requirement that support for newly-added claim language be shown. Accordingly, the Examiner's view that the Amendment dated June 11, 2007, is non-responsive, is respectfully traversed.

Nonetheless, to eliminate this as an issue, Applicant submits that support for the amendments to Claims 1, 7, 8, 9, 13, 14, 18, 19, 22 and 23 may be found, at least, at paragraphs 26, 27, 68, 80-85 and 88, and support for the amendment to Claim 2 may be found, for example, at paragraphs 50-53.¹

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Leonard P Diana/
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¹/ It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.